

REMARKS

The present amendment is responsive to the Office Action mailed in the above-referenced case on June 30, 2005, made final. Claims 1-45 are presented for examination. The Examiner rejects claims 1-8, 10, 16-23, 25, 31-38 and 40 under 35 U.S.C. 102(e) as being anticipated by Draginich et al. (US 6,560,329) hereinafter Draginich. Claims 9, 24 and 39 are rejected under 35 U.S.C. 103 as being unpatentable over Draginich in view of Dhir (US 6,553,113) hereinafter Dhir. Claims 11, 13-15, 26, 28-30, 41 and 43-45 are rejected under 35 U.S.C. 103 as being unpatentable over Draginich in view of Goss (US 6,687,241) hereinafter Goss. Claims 12, 27 and 42 are rejected under 35 U.S.C. 103 as being unpatentable over Draginich in view of Shtivelman (US 5,926,539) hereinafter Shtivelman.

Applicant has carefully noted and reviewed the rejections, references and the Examiner's comments. Applicant herein amends the independent claims to more particularly point out the patentable subject matter of applicant's invention, therefore, distinguishing unarguably over the art presented by the Examiner.

The independent claims of applicant's invention are herein amended to positively recite that the capabilities of communication devices include at least protocol capability. In applicant's invention as claimed, a distributed software system is employed to monitor and report, in particular, protocol capabilities of agent's resources, and these capabilities are reported to subscribing applications, in particular routing applications, such that intelligent routing of all sorts of electronic transactions performed in a variety of different protocols, including telephone calls, e-mails, video-conferencing, Internet related events, and the like, may be done taking into account the specific capabilities of agent resources.

The primary art of Draginich offers network service in the form of one protocol or another (see col. 4, line 46 to col. 5, line 2). Therefore, there is no

incentive or purpose in the art of Draginich of integrating the data and rendering the capability protocol information to the routing applications, as claimed.

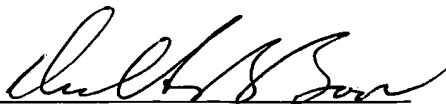
Applicant will also point out that the art of Shtivelman, even though a multimedia call center is disclosed, the system determines if the agent is engaged in live communication or not. The art fails to teach a first portion of an application for collecting data regarding capability of the target agent resources, including at least protocol capability.

Applicant believes independent claims 1, 16 and 31, as amended, are easily patentable over the art provided by the Examiner. Therefore, dependent claims 2-15, 17-30 and 32-45 are patentable on their own merits, or at least as depended from a patentable claim.

As all of the claims left standing and as amended are clearly shown to be patentable over the art, applicant respectfully requests that the rejections be withdrawn and that the case be passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Respectfully Submitted,
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